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Attorneys for Defendants and Counterclaimant
TFI-TELEMARK

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

BROOKS AUTOMATION, INC.,

Plaintiff,

v.

TELEMARK, INC.,

Defendant.

CASE NO. 3:11-cv-05776-RS

STIPULATION AND ~~PROPOSED~~ ORDER
RE SETTLEMENT CONFERENCE
SCHEDULE

It is hereby stipulated, by and between Plaintiff Brooks Automation, Inc. ("Brooks") and Defendant and Counterclaim-Plaintiff TFI-Telemark ("Telemark"), through their respective counsel subject to the approval of the Court, that the settlement schedule below shall apply in this action.

The parties, through their counsel, respectfully request that the Court move the settlement conference date, currently set for August 2, 2012. The principal for Telemark will be out of the country July 14, 2012, to July 23, 2012, making it difficult to meet the pre-settlement conference obligation for the principals to meet in advance. Given the foregoing unavailability, the Parties have agreed, subject to the Court's approval, to move the settlement conference and related pre-

settlement conference dates in this case. The Court indicates that June 21, 2012 is available for the settlement conference. Accordingly, the Parties respectfully request that the settlement conference and that the remaining dates be modified as set forth in the "Proposed New Dates" column in the following table:

Event	Proposed New Dates	Dates Previously Ordered
Brooks to make initial demand (offer) to Telemark	May 25, 2012	July 6, 2012
Telemark to respond to demand with its own offer	June 1, 2012	July 13, 2012
Principals of parties to meet no later than this date	June 8, 2012	July 20, 2012
Parties exchange settlement conference briefs and submit to Judge Spero	June 14, 2012	July 26, 2012
Settlement Conference (SF courthouse – 9:30 am)	June 21, 2012	August 2, 2012

Dated: May 1, 2012

DLA PIPER LLP (US)

By /s/

ANDREW P. VALENTINE
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Attorneys for Defendant and Counterclaimant
TFI-TELEMARK

Dated: May 1, 2012

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP**

By /s/

LINDA THAYER
ERIK R. PUKNYS

Attorneys for Plaintiff
Brooks Automation, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 5/2/12

The Honorable Judge Joseph C. Spero
United States District Court Magistrate Judge

